

## **Grand Jury Sample Forms**

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STATE OF NEBRASKA  
GRAND JURY FORM NO. 1  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER DIRECTING THE  
CALLING OF A GRAND JURY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER DIRECTING THE  
CALLING OF A GRAND JURY**

\_\_\_\_\_  
COUNTY  
NEBRASKA.

Pursuant to the provisions of Neb. Rev. Stat. §29-1401 (Cum. Supp. 2010), a grand jury is, by this Order, summoned to review the circumstances surrounding the death of \_\_\_\_\_  
\_\_\_\_\_ who died on \_\_\_\_\_, \_\_\_\_\_.

The grand jury is directed to be called and to appear on the \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, at \_\_\_\_\_ in the courtroom of \_\_\_\_\_ County, Nebraska.

IT IS SO ORDERED.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 2  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER CALLING GRAND JURY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER CALLING  
GRAND JURY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

This matter comes on for hearing on the Certificate of the Coroner, attached hereto that an individual has died while being apprehended by or while in the custody of a law enforcement officer or detention personnel pursuant to Neb. Rev. Stat. § 29-1401.

The Court, being advised in the premises, finds an order should be entered directing a grand jury be impaneled.

**IT IS THEREFORE ORDERED AND ADJUDGED** that a grand jury consisting of 16 regular jurors and three alternate jurors be convened for the purpose of investigating the death of \_\_\_\_\_ and the \_\_\_\_\_ County Jury Commissioner proceed to prepare a grand jury list provided by law and the grand jury shall be convened on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, commencing at \_\_\_\_\_ o'clock \_\_\_\_\_.

Signed and entered this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 3  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER APPOINTING  
MEMBER OF GRAND JURY BOARD**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER APPOINTING MEMBER  
OF GRAND JURY BOARD**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

WHEREAS the provisions of Neb. Rev. Stat. § 25-1633 require the Presiding Judge of the District Court to designate a third person who, together with the Presiding Judge and the Jury Commissioner, shall constitute the Board for the selection of a grand jury; and

WHEREAS \_\_\_\_\_ is a resident of the City of \_\_\_\_\_,  
\_\_\_\_\_ County, Nebraska; and is properly qualified to act as the third member of the  
Board,

IT IS THEREFORE ORDERED that \_\_\_\_\_ be, and by this Order he/she  
is, designated as the third member of the Board for the selection of a grand jury in the above-captioned matter,  
commencing on \_\_\_\_\_, \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**MEMO**

TO: \_\_\_\_\_ County Jury Commissioner

FROM: Clerk of the District Court

DATE: \_\_\_\_\_, \_\_\_\_\_

SUBJECT: Grand Jury Selection:

On \_\_\_\_\_, \_\_\_\_\_, Presiding District Judge \_\_\_\_\_ entered an order directing that a grand jury be convened. Accordingly, you are directed to randomly select from the master jury list the names of \_\_\_\_\_ individuals who may be qualified and summoned as prospective grand jurors.

To ensure a random selection of prospective jurors from the master jury list, you are directed to use the key number \_\_\_\_\_ to effect the selection process.

\_\_\_\_\_  
Clerk of the District Court

cc: Judge of the District Court

**ORDER TO SUMMON  
GRAND JURORS**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER TO SUMMON  
GRAND JURORS**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the matter of drawing a Grand Jury Panel concerning the death of \_\_\_\_\_ comes before the Court.

The Court finds that, at the hour of \_\_\_\_\_ in \_\_\_\_\_ County District Court, in the presence of \_\_\_\_\_, \_\_\_\_\_ County Jury Commissioner, placed in a box tickets containing the names of all individuals who are qualified to serve as grand jurors.

The Court further finds that the Jury Commissioner, after thoroughly mixing all of the tickets in the box, randomly drew from the box eighty (80) tickets containing the names of persons who are qualified to serve as grand jurors. The Court further finds that the Jury Commissioner placed in a box the tickets containing the names of the eighty (80) persons qualified to serve as grand jurors and, after thoroughly mixing them, randomly drew from the box forty (40) tickets, which will constitute Panel One of the Grand Jury List for the above-captioned matter. The Court further finds that, after thoroughly mixing the unselected tickets in the box, the Jury Commissioner randomly drew from the box eighty (80) tickets containing the names of persons who are qualified to serve as grand jurors. The Court further finds that the Jury Commissioner placed in a box the tickets containing the names of the eighty (80) persons qualified to serve as grand jurors and, after thoroughly mixing them, randomly drew from the box forty (40) tickets, which will constitute Panel Two of the Grand Jury List for the above-captioned matter.

IT IS THEREFORE ORDERED that, as provided in Neb. Rev. Stat. § 25-1606, the Jury Commissioner shall forthwith mail to each of the forty (40) persons whose name appears on the Grand Jury List a summons notifying him/her that he/she has been

selected as a prospective grand juror for Panel One, and directing him/her to appear on \_\_\_\_\_,  
\_\_\_\_\_, at \_\_\_\_\_ in the District Court for \_\_\_\_\_ County, Nebraska at  
\_\_\_\_\_, Nebraska.  
(address) (city)

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court



<b>JURY SUMMONS</b>	<b>DISTRICT COURT</b>
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<b>JURY SUMMONS</b>	<b>DISTRICT COURT</b>
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TO:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

STATE OF NEBRASKA )  
COUNTY OF ) SS.  
\_\_\_\_\_ )

BY ORDER OF THE DISTRICT COURT, \_\_\_\_\_ JUDICIAL DISTRICT OF NEBRASKA

You have been summoned to serve as a **grand juror** for the District Court of \_\_\_\_\_  
County, \_\_\_\_\_, Nebraska on \_\_\_\_\_, \_\_\_\_\_.

These proceedings will begin at \_\_\_\_\_ a.m., in the \_\_\_\_\_ County District Courtroom, \_\_\_\_\_, Nebraska, and will last at least one day and could last as long as \_\_\_\_\_ days/week.

**You are required by law to be present for the entire time.**

WITNESS MY HAND and the seal of said court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Clerk of the District Court

Dear Juror:

You have been selected to serve as a Grand Juror and are required to be present on \_\_\_\_\_, \_\_\_\_\_ . The Grand Jury will convene in the \_\_\_\_\_ County District Courtroom. Check-in at the District Court office by \_\_\_\_\_ a.m./p.m.

It is extremely important that you do not discuss your selection as a Grand Juror with anyone except your immediate family and your employer. As you notify family or work supervisors of your jury selection, please communicate the necessity for confidentiality to them.

By law, the work of the Grand Jury is conducted in secrecy. As a Grand Juror, you will soon take an oath which, in part, requires that you keep secret the work and discussions of the Grand Jury from everyone, including your spouse, family, and employer.

Grand Jurors must not discuss their meeting, investigation, deliberations or votes with anyone unless specifically instructed to do so by the judge.

Grand Jury proceedings are conducted in secret for three reasons:

- Criminals who know a grand jury is investigating their crime might attempt to obstruct justice by intimidating witnesses or flee to avoid prosecution.
- Secrecy protects those who appear as witnesses from possible intimidation or threats.
- Secrecy protects innocent persons whose names might come before a grand jury. A great injustice can occur and irreparable injury can be done to the reputation of a person if it becomes known that they were discussed by a grand jury, but adequate evidence was not present for indictment. This type of a disclosure can cause damage to the name and reputation of an individual which would be difficult, if not impossible, to erase.

According to Nebraska law (Neb. Rev. Stat. § 29-1404) grand jurors shall make no disclosure about the grand jury's proceedings. This means you are obligated under penalty of law not to make any disclosures about the proceedings.

If you have questions regarding this, please feel free to contact me. Tell the court staff at my office that you are a Grand Juror and you need to speak to me.

General information regarding the function and purpose of a grand jury can be found on the Judicial Branch Web site: [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov).

Sincerely,

Clerk of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 8  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER EXCUSING JUROR**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER EXCUSING JUROR**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

THIS MATTER is before the Court on the written request of \_\_\_\_\_  
(juror number \_\_\_\_\_) that s/he be excused from service as a prospective grand juror in the above-captioned  
matter on the basis of undue hardship, extreme inconvenience, or public necessity.

The Court finds that, based on the circumstances set forth in his/her written request, Mr./Ms.  
\_\_\_\_\_ should be excused from service as a prospective grand juror on the basis of  
undue hardship, extreme inconvenience, or public necessity.

IT IS, THEREFORE, ORDERED that, for good cause shown, \_\_\_\_\_, (juror  
number \_\_\_\_\_) be excused from service as a prospective grand juror in the above-captioned matter.

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 9  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**REPORT OF SELECTION  
OF GRAND JURORS**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**REPORT OF SELECTION  
OF GRAND JURORS**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

**GRAND JURY BOARD**

The undersigned, members of the Grand Jury Board, duly convened by order of the District Court of \_\_\_\_\_ County, Nebraska, submits the following report concerning its selection of grand jurors regarding the death of \_\_\_\_\_.

The Board, having been duly convened, selected a jury list of 40 prospective grand jurors after verifying the qualifications of the jurors to serve based upon the questionnaires, randomly selected 16 grand jurors and three alternates as follows:

- |    |     |     |
|----|-----|-----|
| 1. | 7.  | 12. |
| 2. | 8.  | 13. |
| 3. | 9.  | 14. |
| 4. | 10. | 15. |
| 5. | 11. | 16. |
| 6. |     |     |

Alternates (3) selected are:

- |    |    |    |
|----|----|----|
| 1. | 2. | 3. |
|----|----|----|

Submitted \_\_\_\_\_, \_\_\_\_\_. GRAND JURY BOARD

\_\_\_\_\_  
Judge of the District Court

\_\_\_\_\_  
Jury Commissioner

\_\_\_\_\_  
Designated Board Member

STATE OF NEBRASKA  
GRAND JURY FORM NO. 10  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER REGARDING STATUTORY  
NON-DISCLOSURE  
RESTRICTIONS:  
WITNESS AND TESTIMONY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

**ORDER REGARDING  
STATUTORY NON-  
DISCLOSURE RESTRICTIONS:  
WITNESS AND TESTIMONY**

Upon consideration of matters of procedure relative to the respective sessions of the Grand Jury, it appears to the Court that necessary precautions should be taken to prevent any interference with all members of the Grand Jury and any and all necessary witnesses subpoenaed to testify before said Grand Jury by any persons who are not in any way affiliated with or associated with the District Court of this District, and all such persons shall refrain from talking to, interrogating or photographing any Grand Juror or any witness subpoenaed before such Grand Jury.

IT IS ORDERED that the bailiff of this Court see that this order be fully enforced.

IT IS FURTHER ORDERED that the prosecuting attorney, the Sheriff of \_\_\_\_\_ County, Nebraska, the members of the \_\_\_\_\_ Police Department and all their deputies, assistants, employees and agents, the Clerk of the District Court of \_\_\_\_\_ County, Nebraska, and any deputies, assistants, employees and agents shall not divulge nor make public the names of any witnesses subpoenaed before said Grand Jury.

IT IS FURTHER ORDERED that the Clerk of the District Court administer the following oath to all witnesses subpoenaed by the Grand Jury: "You do solemnly swear or affirm that you will keep secret the testimony you are about to give before the Grand Jury and that you will testify to the truth, the whole truth and nothing but the truth."

IT IS FURTHER ORDERED that all witnesses subpoenaed by the Grand Jury shall not comment about their testimony before or after their appearance before the Grand Jury.

Dated at \_\_\_\_\_, \_\_\_\_\_ County, Nebraska, this \_\_\_\_ day of \_\_\_\_\_.

SO ORDERED.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 11  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**RECEIPT OF ORDER REGARDING  
STATUTORY NON-DISCLOSURE  
RESTRICTIONS:  
WITNESS AND TESTIMONY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

**RECEIPT OF ORDER  
REGARDING STATUTORY NON-  
DISCLOSURE RESTRICTIONS:  
WITNESS AND TESTIMONY**

I have received a copy of the ORDER REGARDING STATUTORY NON-DISCLOSURE RESTRICTIONS:

WITNESS AND TESTIMONY (pursuant to Neb. Rev. Stat. § 29-1404) filed in the above-mentioned case.

\_\_\_\_\_  
County Sheriff

\_\_\_\_\_  
Date

\_\_\_\_\_  
Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
State Patrol

\_\_\_\_\_  
Date

STATE OF NEBRASKA  
GRAND JURY FORM NO. 12  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER REGARDING  
COURTROOM SECURITY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER REGARDING  
COURTROOM SECURITY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

This matter comes before the Court upon its own initiative. The Court finds that the Grand Jury has been called to investigate the death of a person detained in the \_\_\_\_\_ County Jail and witnesses who may be called to testify may be either fellow detainees of the decedent or members of the \_\_\_\_\_ County Sheriff's Office. In order to avoid any intimidation, appearances of impropriety or conflicts of interest, the Court finds that courtroom security during the Grand Jury proceedings shall be conducted by members of the \_\_\_\_\_ Police Department and members of the \_\_\_\_\_ County Sheriff's Office shall not be present in the courtroom during any of the Grand Jury proceedings unless they are called to testify as witnesses.

SO ORDERED.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 13  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER REGARDING  
PHOTOGRAPHY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER REGARDING  
PHOTOGRAPHY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

TO: \_\_\_\_\_

\_\_\_\_\_ County Sheriff

For security purposes, the Court hereby **ORDERS** that you prohibit the photographing of any members of the Grand Jury or witnesses to be called by the Grand Jury by any person on the date of \_\_\_\_\_, 20\_\_\_\_, until the Grand Jury has disbanded with the limitation of the ban of photographing to the \_\_\_\_\_ County Courthouse building.

Signed and entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**ORDER TO BE POSTED IN COURTHOUSE HALLWAYS AND  
GIVEN TO COURT PERSONNEL**



STATE OF NEBRASKA  
GRAND JURY FORM NO. 14  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER REGARDING  
USE OF THE COURTHOUSE**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER REGARDING THE  
USE OF THE COURTHOUSE**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

This matter comes before the Court on \_\_\_\_\_, 20\_\_\_\_, on the Court's own motion.

The Court finds that no unauthorized individuals will be allowed on the \_\_\_\_ floor of the courthouse during the time that the Grand Jury is in session. Only Court personnel, officers and employees of law enforcement, attorneys, witnesses and individuals directly serving on the Grand Jury shall be exempted from restrictions from the \_\_\_\_ floor. No firearms shall be allowed on the floor with the Grand Jury except for those members of the law enforcement who are providing courtroom security.

Members of the media will not be allowed to interview or videotape any Grand Juror or witness, nor are they allowed to disclose the name of the Grand Juror or witness until the Grand Jury has completed its work.

This Order shall be displayed in a prominent place and shall be enforced during the time that the Grand Jury is in session and until the Grand Jury has completed its work.

SO ORDERED.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**ORDER TO BE POSTED IN COURTHOUSE HALLWAYS AND  
GIVEN TO COURT PERSONNEL**

STATE OF NEBRASKA  
GRAND JURY FORM NO. 15  
Rev. 02/2012  
Neb. Rev. Stat. 29-1403

**ORDER APPOINTING  
FOREPERSON**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER APPOINTING  
FOREPERSON**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

The Court hereby appoints \_\_\_\_\_ of \_\_\_\_\_,  
Nebraska, as Foreperson of the Grand Jury for the 20\_\_\_\_ term of the Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16A  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF CIVIL  
PROCESS SERVER**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF  
CIVIL PROCESS SERVER**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.

I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Nebraska; that I will faithfully discharge any and all duties of Civil Process Server to the best of my ability; that I will keep secret and will not disclose the names of any person involved in the Grand Jury proceedings or anything that I hear or observe, unless I am called on in a court of justice to make such disclosures.

\_\_\_\_\_  
Civil Process Server

Administered in open court and subscribed and sworn to by the undersigned this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16B  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF  
LAW ENFORCEMENT OFFICER**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF LAW  
ENFORCEMENT OFFICER**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I do solemnly swear or affirm that I will keep the testimony I am about to hear given before the Grand Jury and will not disclose to any person the names of any Grand Juror or witnesses I may or may not recognize, unless I am called on in a court of justice to make such disclosures.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Law Enforcement Officer

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16C  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF  
SHERIFF AND/OR  
DEPUTY SHERIFF**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF SHERIFF AND/OR  
DEPUTY SHERIFF**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I do solemnly swear or affirm that I will keep secret the testimony I am about to hear given before the Grand Jury and will not disclose to any person the names of any Grand Juror or witnesses I may or may not recognize.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Sheriff and/or Deputy Sheriff

\_\_\_\_\_ County Sheriff's Office

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16D  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF  
PROSECUTING ATTORNEY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF  
PROSECUTING ATTORNEY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.  
\_\_\_\_\_ )

I do solemnly swear or affirm that I will keep secret the testimony I will hear given before the Grand Jury and will not disclose to any person the names of any Grand Jurors or witnesses I may or may not recognize.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Special Prosecutor/Prosecutor  
\_\_\_\_\_ County, Nebraska

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16E  
Rev. 02/2012  
Neb. Rev. Stat. 29-1404

**OATH OF NON-CERTIFIED  
COURT INTERPRETER**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF NON-CERTIFIED  
COURT INTERPRETER**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.  
)

I solemnly swear or affirm that I will, to the best of my skill and judgment, make a true interpretation of any oral or written communication to any witness unable to communicate in the English language by the Grand Jury and its agents in a language which such witness understands and that I will, in the English language, repeat the statements of such witness to the Grand Jury, its agents, the Court and any officials before whom such proceeding takes place, truthfully and accurately.

Additionally, in my capacity as interpreter for this Court, I do solemnly swear that I will keep secret and will not disclose the names of, or personal information about, any members of the Grand Jury and that I will keep secret and will not disclose anything that I hear or observe during, or the names of persons involved in the Grand Jury proceedings, unless I am called on in a court of justice to make such disclosure.

\_\_\_\_\_  
Interpreter

Subscribed and sworn to before me this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16F  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF WITNESS**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF WITNESS**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

TO THE FOREPERSON OF THE GRAND JURY:

\_\_\_\_\_  
Hereto subpoenaed to appear before the grand jury, has been given the following oath:

Do you solemnly swear or affirm that you will testify to such matters and things as inquired of before the Grand Jury and that you will keep secret the testimony you are about to give before the Grand Jury and that you will testify to the truth, the whole truth and nothing but the truth.

\_\_\_\_\_  
Witness

Administered before me, the Clerk of the District Court, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the District Court



STATE OF NEBRASKA  
GRAND JURY FORM NO. 16G  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**CLERK'S CERTIFICATE  
REGARDING WITNESS**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**CLERK'S CERTIFICATE  
REGARDING WITNESS**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

TO THE FOREPERSON OF THE GRAND JURY:

\_\_\_\_\_

Hereto subpoenaed to appear before the grand jury, has been given the following oath:

"Do you solemnly swear or affirm that you will testify to such matters and things as inquired of before the Grand Jury and that you will keep secret the testimony you are about to give before the Grand Jury and that you will testify to the truth, the whole truth and nothing but the truth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16H  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**OATH OF ATTORNEY  
FOR A WITNESS**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF ATTORNEY  
FOR A WITNESS**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Pursuant to Neb. Rev. Stat. § 29-1411, I, \_\_\_\_\_, in my capacity as attorney for a witness summoned to appear before the Grand Jury in this matter, do solemnly swear that I will keep secret and will not disclose the names of, or personal information about, any members of the Grand Jury; and that I will keep secret and will not disclose anything that I hear or observe during, or the names of person involved in, the Grand Jury proceedings, unless I am called on in a court of justice to make such disclosures.

\_\_\_\_\_  
Attorney

Administered in open court, and subscribed and sworn to before me this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16I  
Rev. 02/2012  
Neb. Rev. Stat. 29-1404

**OATH OF FOREPERSON**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**OATH OF FOREPERSON**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.

Saving yourself and fellow Jurors, you, as Foreperson of this grand inquest, shall diligently inquire and true presentment make, of all such matters and things as shall be given you in charge or otherwise come to your knowledge, touching the present service. The counsel of the state, your own and your fellows, you shall keep secret, unless called on in a court of Justice to make disclosures. You shall present no person through malice, hatred or ill-will, nor shall you leave any person unrepresented through fear, favor, or for any reward or hope thereof; but in all your presentments you shall present the truth, the whole truth and nothing but the truth, according to the best of your skill and understanding.

\_\_\_\_\_  
Grand Jury Foreperson

Administered in open court and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 16J  
Rev. 02/2012  
Neb. Rev. Stat. 29-1405

## OATH OF JUROR

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

## OATH OF JUROR

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The same oath which \_\_\_\_\_, your Foreperson, hath now taken before you on  
his or her part, and each of you, shall well and truly observe and keep on your respective parts.

- |           |           |
|-----------|-----------|
| 1. _____  | 9. _____  |
| 2. _____  | 10. _____ |
| 3. _____  | 11. _____ |
| 4. _____  | 12. _____ |
| 5. _____  | 13. _____ |
| 6. _____  | 14. _____ |
| 7. _____  | 15. _____ |
| 8. _____  | 16. _____ |
| A1. _____ | A2. _____ |
| A3. _____ |           |

Administered in open court and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 17A  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER APPOINTING  
OFFICIAL COURT REPORTER  
AND OATH**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR  
\_\_\_\_\_  
COUNTY,  
NEBRASKA.

**ORDER APPOINTING  
OFFICIAL COURT REPORTER  
AND OATH**

Pursuant to the provisions of Neb. Rev. Stat. § 29-1407.01, the Court hereby appoints \_\_\_\_\_  
\_\_\_\_\_ the official court reporter for the Grand Jury for the 20\_\_\_\_ term of the Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully and impartially perform the duties of the office of court reporter for the Grand Jury of the District Court in and for the County of \_\_\_\_\_, State of Nebraska, according to law and to the best of my ability and that I will not divulge or disclose to any person any testimony given before the Grand Jury, nor any other information relative to the proceedings of the Grand Jury that may come to my knowledge unless ordered to do so by a court of justice.

\_\_\_\_\_  
Official Court Reporter

SUBSCRIBED in my presence and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 17B  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER APPOINTING  
BAILIFF AND OATH**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER APPOINTING  
BAILIFF AND OATH**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

IT IS HEREBY ORDERED that \_\_\_\_\_ be and hereby is  
appointed as bailiff for the Grand Jury for the 20\_\_\_\_term of this Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully and impartially perform the duties of the office of bailiff for the Grand Jury of the District Court in and for the County of \_\_\_\_\_, State of Nebraska, according to law and to the best of my ability, and that I will not divulge or disclose to any person any testimony given before the Grand Jury, nor any other information relative to the proceedings of the Grand Jury that may come to my knowledge unless ordered to do so by a court of justice.

\_\_\_\_\_  
Bailiff

SUBSCRIBED in my presence and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

**GRAND JURY CHARGE  
(IN CUSTODY DEATH)**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR  
\_\_\_\_\_  
COUNTY,  
NEBRASKA.

**GRAND JURY CHARGE  
(IN CUSTODY DEATH)**

Ladies and gentlemen of the Grand Jury it is now my responsibility to explain to you the nature of Grand Jury proceedings and your responsibility as Grand Jurors.

1. As you have been told, my name is Judge \_\_\_\_\_, and I am one of the District Judges for the \_\_\_\_\_ Judicial District. Also in court at this time is \_\_\_\_\_, Clerk of the District Court for \_\_\_\_\_ County, Nebraska; \_\_\_\_\_, County Attorney for \_\_\_\_\_ County, Nebraska; \_\_\_\_\_, Chief Deputy for \_\_\_\_\_ County, Nebraska; \_\_\_\_\_, Support Clerk; the bailiffs for the District Court, \_\_\_\_\_ and \_\_\_\_\_; and the District Court Reporter, \_\_\_\_\_. Except for witnesses, no other persons will be present during your investigation or deliberations.

2. Nebraska law requires that the District Court call or convene a grand jury when the Court receives a certification from the county coroner which states that an individual has died while being apprehended by or while in the custody of law enforcement officers or detention personnel. The purpose of the grand jury is to investigate the death and determine whether formal charges should be made against any person for having committed a crime in connection with that death. When appropriate a grand jury may also make findings or recommendations which suggest that policies or procedures involved with the death be changed or that new policies or procedures be instituted.

3. During these proceedings you as Grand Jurors will in fact be acting as investigators of possible criminal conduct and you will also be acting as judges in determining whether there exists adequate evidence to charge individuals with criminal conduct. While exercising this authority and power over your fellow citizens you must accept certain limitations and responsibilities for your own conduct. During periods of recess or adjournment from your session as grand jurors you must be discreet in your associations, social or otherwise,

and avoid anyone attempting to influence your judgment in the matters that are pending or may come before the Grand Jury. You must conduct yourself at all times in a conscientious and prudent manner and avoid behaviors which could cause disrespect for yourself or disrespect towards the Grand Jury as a whole.

4. Your only duty as Grand Jurors in these proceedings is to investigate the death of \_\_\_\_\_ and to make formal accusations against those persons, if any, you believe committed a crime in connection with this death. You are therefore to consider the following:

(a) The cause of death of \_\_\_\_\_; and

(b) Whether there was any criminal conduct by any individual that caused or contributed to the death.

5. Previously you took an oath to serve as a Grand Juror. That oath provided by statute may contain certain words or phrases that are unfamiliar to you. I am going to take this opportunity to briefly define some of the terms. A "presentment" means to make a formal written charge that an individual has committed a criminal act. The written document containing the charge is called an "indictment" or "a true bill". In this indictment you may charge one or more named persons with having committed conduct which by law is defined and made punishable as a crime or crimes.

6. The work of the Grand Jury is conducted in secrecy and you have taken an oath which in part requires that you keep secret the work and discussions of the Grand Jury. You must not discuss your investigation, deliberations or votes with anyone unless specifically instructed to do so by a judge of this Court. The requirement that grand jury proceedings be conducted in secret is based upon three-policy considerations. First, it is feared that if criminals knew that a grand jury was investigating their crime, the criminals might attempt to obstruct justice by intimidating witnesses or they might flee the jurisdiction of the Court. Secondly, secrecy protects those who appear as witnesses from possible intimidation or threats. Finally, secrecy protects innocent persons whose names or behaviors might come before the grand jury. A great injustice can occur and irreparable injury can be caused to the reputation of a citizen if it becomes known that the individual was discussed by the grand jury but adequate evidence was not present for indictment. Such a disclosure can cause a stigma to attach to the name and reputation of an individual which would be difficult, if not impossible, to erase.

7. Your obligation of secrecy requires that you not repeat, discuss or disclose the nature, content or result of your investigation and deliberation. You may not disclose that an indictment has been found against any person until that person is in custody, is released under bail, or until the indictment is filed and the case docketed officially in the office of the Clerk of this Court. You may not disclose or testify in court as to how you or any other member of the Grand Jury voted on any questions presented to you, or what opinions were



expressed by yourself or any other Juror in your deliberations or investigation. For this reason only members of the Grand Jury are permitted to be in the room when you are deliberating or voting on any matter.

8. The prosecutor will be present at all times during the investigatory stage of your service. It is the duty of the prosecutor to provide you with information relative to the issues that are being considered. You may also obtain legal advice from the prosecutor and you may wish to have the prosecutor interrogate witnesses for you. It is the duty of the prosecutor to issue subpoenas and other writs of process to insure that witnesses are brought before the Grand Jury and other evidence is produced. The prosecutor also is required to draw up bills of indictment as directed by you. The prosecutor may not be present during your deliberations or at such times as votes are taken.

As indicated above the duties of the prosecutor are to assist you in your investigation. As such the Grand Jury also has the authority to require the Clerk of the District Court to issue subpoenas to produce witnesses to testify or produce documents and other evidence. Each member of the Grand Jury may also interrogate or ask questions of witnesses. Each witness that appears before the Grand Jury is required to complete in writing an oath or affirmation administered by the Clerk of the District Court that the witness will truly testify in response to all lawful inquiries made by and before the Grand Jury. The witness must present the written oath to your Foreperson before testifying.

If a witness should refuse to answer any question, that refusal shall be communicated in writing to me. The communication shall include the question refused to be answered, together with the excuse, if any, given by the witness for refusing to answer. The Court will then determine whether the witness is required to answer and will immediately inform you of that decision. If the Court determines that the witness must answer the question, but the witness persists in refusing, then the Court shall deal with the witness in other proceedings as are necessary and proper.

9. If you believe that a witness before you is not being truthful you may consider indicting that witness for perjury. However, you may not return an indictment for perjury unless at least two other witnesses to the same fact present evidence with established probable cause to believe that the testimony of the witness is untrue and perjured.

10. As a Grand Juror you are required to evaluate the credibility, that is the believability, of the witnesses who come before you. You must dispassionately weigh and carefully scrutinize the testimony. It is proper for you to consider hearsay testimony in reaching your conclusions or in determining whether or not a "true bill" should be presented against any person. It is not your function to determine finally the guilt or innocence of an accused. It is your duty to determine from the evidence presented whether or not you believe a crime was committed in \_\_\_\_\_ County and whether there is probable cause for you to believe a particular person committed that crime. If you are convinced that the evidence establishes probable

cause to believe that a particular individual committed a crime, then, in that event, it is your duty to present such person by indictment, that is formally charge the individual.

11. To return an indictment or a true bill at least twelve members of the Grand Jury must by affirmative vote indicate that based upon the evidence presented there is probable cause to issue the indictment. If twelve or more Grand Jurors concur in the finding of an indictment, then the Foreperson will endorse on the indictment the words "a true bill," subscribe his or her name to the indictment and present the indictment to the Court. Thereafter the indictment will be filed in the office of the Clerk of the Court and properly docketed for trial as provided by law. Your decision not to indict, for whatever reason, would result in "no true bill" of indictment being filed.

12. A certified court reporter will be present at all Grand Jury sessions. All proceedings and the testimony of all witnesses from commencement to adjournment of the Grand Jury will be recorded. The reporter's notes and transcripts which are prepared will be preserved, however they will be sealed and filed with the Court. These notes and transcripts cannot be released or destroyed except by prior court approval. The Grand Jury should not disclose opinions or cast votes while the court reporter is present.

13. During these proceedings the bailiffs, \_\_\_\_\_ and \_\_\_\_\_, will be available and at your service. Among his/her duties is to guard the door of the room wherein you are deliberating, announce the appearance of witnesses, assist you in communicating with persons outside of your court proceedings, and perform such other duties as you may require of him/her. You should keep the bailiff informed in advance of times the Grand Jury plans to be in session.

14. During Grand Jury sessions you will be allowed the use of the district courtroom and the jury room. You are at liberty to fix your own hours for session. I would suggest, however, that your sessions be held during traditional work hours, Monday through Friday from 9:00 a.m. until 5:00 p.m., with such recess at noon as you determine appropriate. You should not work on Sundays or holidays. You may adjourn for several days or parts of days if necessary for the proper performance of your duties. Each Juror must attend all sessions of the Grand Jury and only a judge of this Court may authorize an absence.

15. The law requires that sixteen persons constitute this Grand Jury. Three alternate Grand Jurors have also been selected. Alternate Grand Jurors will sit with the Grand Jury throughout its session but may not take part in the voting or deliberations of the Grand Jury unless one or more of the regular Grand Jurors are absent. The alternate Grand Jurors will fill vacancies in the order of their selection and only for such time as the regular Grand Jurors whose places they fill are absent. The alternate Grand Jurors are bound by the same oath of secrecy as members of the Grand Jury. The three alternate Grand Jurors are as follows:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

16. As you were previously told \_\_\_\_\_ has been appointed by the Court to serve as the Foreperson of this Grand Jury. The Foreperson will call to order and preside over all Grand Jury sessions. Your communication with the Court, the Clerk of the Court, the prosecutor, the bailiff, and all other persons or officials should be made through or under the Foreperson's direction.

17. End your work at as early a date as is permitted by the seriousness of your task and your need to be thorough in completing that task. Your duties must be exercised fairly, impartially, and with absolute honesty. Your indictments must be found solely upon the evidence presented to you. You must not allow public sentiment or pressure to influence your decision. As a Grand Juror, you serve in the same judicial capacity as does a judge of this Court or a judge of the Nebraska Supreme Court. You must make your decisions based solely on the evidence offered to you and the applicable law. Public sentiment is appropriate in the house of our legislature but it is not appropriate as the basis of a judicial decision.

You must not present any indictment, finding, or recommendation based on malice, hatred, or prejudice. You shall not fail or refuse to present an indictment through fear, favor, or any reward or hope of reward. In reaching your conclusions you must not be guided or influenced in any degree by your political, religious, business, social, or other affiliation, by personal whim, passion or prejudice. You must seek and present the truth, the whole truth and nothing but the truth according to the best of your ability.

Please keep this charge and return it to me or the Clerk of this Court at the close of your work.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**JURY INSTRUCTION #1**

CASE NUMBER:

LADIES AND GENTLEMEN OF THE GRAND JURY:

You have been summoned to serve as grand jurors in a matter involving the death of \_\_\_\_\_  
\_\_\_\_\_ which occurred on or about \_\_\_\_\_, \_\_\_\_\_,  
in \_\_\_\_\_ County, Nebraska.

Normally all investigations and decisions to prosecute or not prosecute individuals are the duty of the county attorney and deputies. In this case, Neb. Rev. Stat. §29-1401 provides that the District Court shall call a grand jury in any case where an individual has died while in custody of a law enforcement officer or detention personnel.

Special Prosecutor, \_\_\_\_\_, will act as your legal advisor and will initially interrogate all witnesses who appear before the Grand Jury. Each of you as jurors will have the right to question witnesses if you desire, and through your Foreperson you may request that additional witnesses not subpoenaed by the special prosecutor be called to appear before the Grand Jury for interrogation. You also have the right to request the production of documents or other evidence that you feel will be helpful to your investigation.

It is for you, the Grand Jury, to decide if anyone has violated any criminal statutes of the State of Nebraska in regard to these deaths.

You have the right pursuant to Neb. Rev. Stat. §29-1417 to visit the \_\_\_\_\_ County Jail and examine its condition.

An indictment is a formal accusation made against an individual charging that individual with a crime and "a true presentment" is the formal written charge of the indictment or what is called a "true bill". Your decision not to indict, for whatever reason, would result in "no true bill" of indictment being filed. In order for you to hand down a "true bill" of indictment there must be an affirmative vote of twelve or more members of the Grand Jury, determining, based on the evidence presented before you, that there is probable cause for finding an indictment or indictments and determining the violations to be included in an indictment or indictments, if any.

You may not return any indictment for perjury unless at least two witnesses to the same fact present evidence establishing probable cause to return such indictment. This is not to indicate that the Court feels that perjury exists. The Court is required by law to advise you as to the requirements for an indictment for perjury.

Your oath requires secrecy on your part. Therefore, you will not discuss any evidence, discussions, deliberations, opinions or statements made during the course of the Grand Jury proceedings to anyone at any time now or in the future, unless called upon to do so in a court of law. Further in this regard, you should avoid any discussion whatsoever dealing with the Grand Jury or its investigation. You should avoid any associations during the term of the Grand Jury which would or could influence you in your decisions as a Grand Juror. You should conduct yourself so that there is not even an appearance of impropriety. If any person attempts to contact you or influence you during the Grand Jury term, notify the bailiff or the Court immediately, and the Court will take proper action. In order for you to review your oaths, they are attached to these instructions.

A court reporter has been appointed to take down the testimony during your proceedings. The court reporter will not be present during your deliberation and vote.

The Clerk of the District Court will issue any subpoena or subpoena duces tecum that you or the special prosecutor requests. The Clerk of the District Court will administer the oath to all witnesses and provide them a certificate to be handed to the Foreperson when the witness enters the Grand Jury room. If a witness refuses to testify, the fact of the refusal and the question or questions the witness refuses to answer and the reason for the refusal shall be communicated to the Court and the Court will deal with any such situation. \_\_\_\_\_

\_\_\_\_\_ shall act as your bailiff, and he/she will provide communications you need to make with the Court or others.

You are now officers of the Court and have one of the highest duties and gravest responsibilities of citizenship. You must act fairly and impartially and not be swayed by any emotion. You should not be influenced by anything but the evidence. No prejudice or hate or fear or favor should influence you. You must use your common sense in reaching any conclusions and determining if you should indict or not indict. You are limited in your investigation to criminal acts, not civil wrongs or errors of judgments or policy decisions. You should bear in mind that the evidence you hear will be almost solely that of the prosecution and any person indicted will be brought to trial before a jury. It is important that you return indictments only where the evidence presented to you is clear and convincing.

You are forbidden from disclosing that any indictment has been found, if you so find, until it is filed in the Court.

Three of you have been selected as alternate Jurors. They are:

\_\_\_\_\_ Alternate Juror #1  
\_\_\_\_\_ Alternate Juror #2  
\_\_\_\_\_ Alternate Juror #3

The alternates may question witnesses, review evidence, and participate in all discussion of the Grand Jury until the Grand Jury decides that no other evidence is necessary. At that time the alternates shall be separated from the regular Grand Jurors and shall take no active part in the deliberations or voting of the Grand Jury unless one or more of the regular Grand Jurors has been excused. The alternates shall fill vacancies in the order of their selection.

You may adjourn from time to time as you see fit until you have concluded your Grand Jury investigation.

\_\_\_\_\_ has been appointed Foreperson of the Grand Jury by the Court. All communications with the Court, Clerk of the District Court, bailiff, special prosecutor or any other person shall be through the Foreperson.

Keep in mind throughout these proceedings your obligations of secrecy and also the grave responsibility placed upon you. Your power is great, but such power must be exercised with care. Your obligation is to see that justice is done, and you should be mindful that the grand jury is designed not only to bring to trial those who are accused, but also to protect those that are innocent.

You will keep the file in this proceeding and these instructions with you during your sessions and return them to the Clerk of the District when not in session.

In addition to your decision whether to indict or not indict, you may also issue a written report of the facts and circumstances surrounding this incident, and whether the decedent's death was accidental or suicide.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**JURY INSTRUCTION #2**

CASE NUMBER:

This case is now ready to be submitted to you for investigation and determination. You must approach this task with open minds – consulting with one another, freely and honestly exchanging your views concerning this case, and respectfully considering the views of the other Jurors. Remember, you are not partisans or advocates. Do not hesitate to re-examine your own views and to change your mind if reason and logic so dictate.

It is the Foreperson's job to see that the proceedings are fairly conducted and that each of you as Grand Jurors has a chance to question any witness, and to speak fully and freely on the issues in this case. If you do not reach a decision today, you may separate and return for further proceedings as determined by your Foreperson. If you do separate, you must remember your oath of secrecy and do not discuss this case with anyone, even another Grand Juror.

This case is submitted to you at \_\_\_\_\_ .m., this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at which time your investigation is deemed to commence.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**FINDINGS OF THE GRAND JURY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**FINDINGS OF THE GRAND JURY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

Having been duly impaneled and sworn according to the Statutes of the State of Nebraska and pursuant to the Charge of the District Court Judge which was issued to the Grand Jury on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the Grand Jury finds as follows:

- I. The cause of death of \_\_\_\_\_ is found to be \_\_\_\_\_.
- II. (Check appropriate box)
- ☐ (A) The Grand Jury finds that there was no criminal conduct on the part of any individual that caused or contributed to the cause of the death of \_\_\_\_\_; therefore, returns no true bill.
- ☐ (B) The Grand Jury finds there was criminal activity on the part of \_\_\_\_\_, and twelve Jurors concur in the finding of an indictment and thus returns a "True Bill," copy of which is attached hereto.

Having thus fully honored and completed our judicial charge, the Grand Jury respectfully requests the Court to fully discharge said Grand Jury from further deliberations and service in this matter of the unfortunate death of \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Grand Jury Foreperson



STATE OF NEBRASKA  
GRAND JURY FORM NO. 22  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER DISCHARGING  
GRAND JURY**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER DISCHARGING  
GRAND JURY**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

On \_\_\_\_\_, \_\_\_\_\_, the Grand Jury having issued a "No True Bill," and having filed its request that the Court discharge it and each of its members from further duty, the Court now considers such report and request and finds the duties and charged responsibilities of this Grand Jury have been fully completed.

The Court finds that the Grand Jury has returned a No True Bill and dismisses each of its members from further service. The Court further finds that the work of this Grand Jury has been fully completed.

IT IS THEREFORE ORDERED that the Grand Jury be, and by this Order it is, dismissed and discharged, and each of its individual members is released from further service on such Grand Jury.

Dated at \_\_\_\_\_, \_\_\_\_\_ County, Nebraska, this \_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

- ☐ Grand Jury comment on the conditions of the jail under Neb. Rev. Stat. § 29-1420 are attached.
- ☐ Grand Jury declined comment on conditions of the jail. No report attached.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

STATE OF NEBRASKA  
GRAND JURY FORM NO. 23  
Rev. 02/2012  
Neb. Rev. Stat. 29-1401

**ORDER OF  
CONSOLIDATION**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE  
GRAND JURY RE:

**ORDER OF  
CONSOLIDATION**

IN THE MATTER OF THE  
GRAND JURY RE:

THIS MATTER comes before the Court for the entry of an order directing that investigations by grand jurors into the incidents surrounding the deaths of \_\_\_\_\_

\_\_\_\_\_ be consolidated and reviewed by one grand jury.

The Court finds that the incident which resulted in the death of \_\_\_\_\_ on \_\_\_\_\_, and the incident which resulted in the death of \_\_\_\_\_ on \_\_\_\_\_, warrant the convening of a grand jury to investigate and review each incident. The Court finds that, due to the close proximity in time of the incidents, it would be beneficial, efficient, and cost effective to the citizens of \_\_\_\_\_ County, Nebraska, to consolidate the investigation and review of each incident by a single grand jury.

IT IS THEREFORE ORDERED that the circumstances surrounding the deaths of \_\_\_\_\_ be, and by this Order they are, consolidated for the purpose of review by a single grand jury.

IT IS FURTHER ORDERED that the Jury Commissioner of \_\_\_\_\_ County, Nebraska, summon prospective grand jurors to appear on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ in Courtroom No. \_\_\_\_\_ in the \_\_\_\_\_ County District Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court

**ORDER SEVERING  
CONSOLIDATED PROCEEDING**

CASE NUMBER:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

IN THE MATTER OF THE GRAND JURY  
CALLED FOR THE 20\_\_\_\_ TERM OF THE  
DISTRICT COURT IN AND FOR

**ORDER SEVERING  
CONSOLIDATED PROCEEDING**

\_\_\_\_\_  
COUNTY,  
NEBRASKA.

THIS MATTER is before the Court on its own motion. Special Prosecutor \_\_\_\_\_, has informed the Court that the coroner's physician who performed the autopsy on the decedent, \_\_\_\_\_, will be unavailable to testify before the Grand Jury during the period in which it will convene to investigate the circumstances surrounding the death of \_\_\_\_\_.

The Court finds that this matter had previously been consolidated with the proceeding entitled In the Matter of the Grand Jury Re: \_\_\_\_\_ which is indexed in the records of the Court at Case No. \_\_\_\_\_. The Court further finds that a Grand Jury has been scheduled to convene on \_\_\_\_\_ to review the circumstances surrounding the deaths of \_\_\_\_\_ and \_\_\_\_\_.

The Court further finds that, on the basis of the unavailability of the coroner's physician to testify during the period in which that Grand Jury has been convened, and in order to promote the effective and efficient administration of justice, this matter should be severed from the \_\_\_\_\_ proceeding and should be reviewed by a separate grand jury.

IT IS THEREFORE ORDERED that the above-captioned matter be severed from the proceeding entitled Matter of the Grand Jury Re: \_\_\_\_\_, Case No. \_\_\_\_\_.

IT IS FURTHER ORDERED that the above-captioned matter be reviewed by the Grand Jury scheduled to convene on \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court